

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions and listings of claims in the application:

LISTING OF CLAIMS:

1. (currently amended): A film covered battery comprising:

a battery element having a positive electrode and a negative electrode opposing each other;

lead terminals connected to said positive electrode and said negative electrode of said battery element, respectively;

a flexible casing for sealing said battery element and said lead terminals together with an electrolytic solution, said lead terminals partially extending from said casing; ~~and~~

a buffer formed in at least a portion of said casing for accumulating a gas generated within said casing through deformation of said casing, said buffer being formed continuously with a region in which said battery element is accommodated; and

wherein said film covered battery comprises said buffer above and below said battery element, said lower buffer being limited in deformation of said casing.

2. (original): The film covered battery according to claim 1, wherein said buffer comprises a margin of said casing for sealing said battery element, said margin including inner surfaces of said casing which directly oppose each other without intervention of said battery element and are not joined to each other.

3. (currently amended): The film covered battery according to claim 1, wherein said buffer is provided in at least a portion of said casing outside of said battery element ~~in~~in an in-plane direction on a main surface of said battery element.

4. (original): The film covered battery according to claim 1, wherein said casing has a recess for receiving said battery element, said buffer being positioned adjacent to said recess.

5. (original): The film covered battery according to claim 1, wherein said buffer is positioned such that said region for accommodating said battery element is not above said buffer in a posture in which said film covered battery is installed for use.

6. (original): A battery assembly comprising:

a plurality of film covered batteries according to claim 1 stacked in a thickness direction of said battery element, held in a pressurized state in a direction in which said film covered

batteries are stacked, and installed in a posture in which the thickness direction of said battery element is oriented substantially in the horizontal direction,

wherein said casing is not substantially provided with a region deformable by the pressure of a generated gas in a region at a level equal to or lower than said battery element when said battery assembly is installed.

7. (canceled)

8. (currently amended): The battery assembly according to claim 76, further comprising a casing presser member at a position corresponding to said lower buffer for pressing said casing from the outside thereof.

9. (currently amended): The battery assembly according to claim 76, wherein said lower buffer is folded so that said lower buffer is brought closer to said battery element.

10. (canceled)